

PATENT COOPERATION TREATY

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PCT/IL2005/000330

From the INTERNATIONAL BUREAU

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NOTIFICATION CONCERNING
TRANSMITTAL OF COPY OF INTERNATIONAL
PRELIMINARY REPORT ON PATENTABILITY
(CHAPTER I OF THE PATENT COOPERATION
TREATY)
(PCT Rule 44bis.1(c))

Date of mailing (day/month/year)
26 April 2007 (26.04.2007)

To:

G. E. EHRLICH (1995) LTD
11 Menachem Begin Street
52 521 Ramat-Gan
ISRAËL

10 MAY 2007

FILE No. 28991

G. E. EHRLICH (1995) LTD.

Applicant's or agent's file reference
28991

IMPORTANT NOTICE

International application No.
PCT/IL2005/000330

International filing date (day/month/year)
23 March 2005 (23.03.2005)

Priority date (day/month/year)
23 March 2004 (23.03.2004)

Applicant

DUNE MEDICAL DEVICES LTD. et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 28991	FOR FURTHER ACTION	
See item 4 below		
International application No. PCT/IL2005/000330	International filing date (<i>day/month/year</i>) 23 March 2005 (23.03.2005)	Priority date (<i>day/month/year</i>) 23 March 2004 (23.03.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant DUNE MEDICAL DEVICES LTD.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I Basis of the report
<input type="checkbox"/>	Box No. II Priority
<input type="checkbox"/>	Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI Certain documents cited
<input type="checkbox"/>	Box No. VII Certain defects in the international application
<input type="checkbox"/>	Box No. VIII Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis.2).

Date of issuance of this report
17 April 2007 (17.04.2007)

Authorized officer

Simin Baharlou

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Form PCT/IB/373 (January 2004)

From the
INTERNATIONAL SEARCHING AUTHORITY

PATENT COOPERATION TREATY

To:
GEOFFREY L. MELNICK
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11 MENACHEM BEGIN STREET
RAMAT-GAN, ISRAEL 52521

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference 28991		Date of mailing (day/month/year) 05 FEB 2007
FOR FURTHER ACTION See paragraph 2 below		
International application No. PCT/IL05/00330	International filing date (day/month/year) 23 March 2005 (23.03.2005)	Priority date (day/month/year) 23 March 2004 (23.03.2004)
International Patent Classification (IPC) or both national classification and IPC IPC: A61B 5/00 (2006.01) USPC: 600/407		
Applicant DUNE MEDICAL DEVICES LTD.		

1. This opinion contains indications relating to the following items:

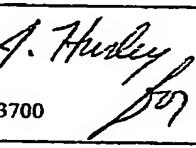
<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later. For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Date of completion of this opinion 20 March 2006 (20.03.2006)	Authorized officer Eleni Mantis Mercader Telephone No. 571-272-3700 
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Form PCT/ISA/237 (cover sheet) (April 2005)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/IL05/00330

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:
 the international application in the language in which it was filed
 a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material
 on paper
 in electronic form
 - c. time of filing/furnishing
 contained in the international application as filed.
 filed together with the international application in electronic form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/IL05/00330

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N) Claims 1-30 YES
Claims NONE NO

Inventive step (IS) Claims 1-30 **YES**
Claims NONE **NO**

2. Citations and explanations:

Claims 1-30 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest the limitations as claimed including a tool with a tissue type sensor, a distance measurement sensor, which is hand-held.

Claims 1-30 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the claimed subject matter can be made or used in industry.